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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In Re: Pro Construction Trades, Inc. d/b/a
Premier Facility Services

Case No.: 16-30001 (JKS)
Adv. No.: 18-01496 (JKS)

Chapter: 7

Judge: John K. Sherwood, U.S.B.J.

Debtor.

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Eric R. Perkins, Chapter 7 Trustee for Pro Construction Trades, Inc. d/b/a Premier Facility Services, proposes a compromise, or to settle a claim and/or an action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below no later than 7 days before the hearing date.

Address of the Clerk:

Clerk of the U.S. Bankruptcy Court
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07102

If an objection is filed, a hearing will be held before the Honorable John K. Sherwood on NOVEMBER 8, 2022 at 10:00 a.m. at the United States Bankruptcy Court, Courtroom No. 3D, 50 Walnut Street, 3rd Floor, Newark, NJ 07102 (hearing to be scheduled for at least 28 days from the date of the filing of the notice.) If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of Action:

On October 19, 2016 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”). On May 1, 2017 (the “Conversion Date”), the Debtor’s bankruptcy case was converted to one under Chapter 7 of the Bankruptcy Code. On May 4, 2017, Eric R. Perkins was appointed as Chapter 7 Trustee (the “Trustee”) for the Debtor’s bankruptcy estate. Prior to the Conversion Date, the Debtor was engaged in the business of property management.

Brian D. Troast (“Troast”) has been the sole principal and president of the Debtor since its inception. Troas’s wife is Suzanne C. Troast (with Troast, the “Troasts”). During the course of the Trustee’s investigation of the Debtors books and records, and in response to issued subpoenas, he learned that during the two-year period prior to the Petition Date, the Trustee determined that approximately \$549,839.80 in potentially fraudulent transfers had been made by the Debtor to the Troasts.

The Trustee filed an adversary action in this Court under the caption *Eric R. Perkins v. Brian D. and Suzanne C. Troast*, which was assigned Docket No. 18-0149 (the “Litigation”), in which he sought damages from the Troasts. The Troasts asserted various defenses and disputes the Trustee’s claim that the Debtor received no reasonable equivalent value in exchange for the transfers. The Trustee has received settlement proceeds from other defendants in two other adversary cases, that could potentially reduce the Troasts liability by \$194,000.00

Pertinent terms of settlement:

As a result of settlement negotiations, the Trustee has agreed to accept \$235,000.00 from the Troasts as a compromise of his claim.

The Parties and their respective counsel have determined that the settlement is fair and equitable, and that given the inherent risks of litigation, this settlement is in the best interest of the Debtor's estate and its creditors.

Objections must be served on, and requests for additional information directed to:

NAME: Virginia T. Shea, Esq.

ADDRESS: McElroy, Deutsch, Mulvaney & Carpenter, LLP, 1300 Mount Kemble Avenue, Morristown, NJ 07962

PHONE: 973-993-8100